

## **EXHIBIT 24**

HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY  
KEVIN HARKIN - 03/25/2019

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF MINNESOTA

3 - - - - -

4 FAIR ISAAC CORPORATION, NO. 16-cv-1054 (WMW/DTS)  
5 Plaintiff,

6 vs.

7 FEDERAL INSURANCE COMPANY,  
8 and Indiana corporation, and  
9 ACE AMERICAN INSURANCE  
10 COMPANY, a Pennsylvania  
11 corporation,  
12 Defendant.

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14 Monday, March 25, 2019

15 - - - - -

16 \*\*\*HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY\*\*\*

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18 Video Deposition of KEVIN HARKIN, taken at  
19 the offices of Regus, 55 Madison Avenue, Suite 400,  
20 Morristown, New Jersey, commencing at 9:05 a.m., by  
21 and before Robin L. Clark, Registered Professional  
22 Reporter and Notary Public in and for the State of  
23 New Jersey.

24 - - - - -

25 Job No. MP-212897

## HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY

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Pages 206..209

<p style="text-align: right;">Page 206</p> <p>1 than 50 percent?</p> <p>2 A. It's less than 50 percent.</p> <p>3 Q. Do you know what percentage of</p> <p>4 products from the PRS business unit ran through</p> <p>5 Evolution?</p> <p>6 A. I do not.</p> <p>7 Q. Do you know if it's greater or less</p> <p>8 than 50 percent?</p> <p>9 A. It's greater than 50 percent.</p> <p>10 Q. Is it 100 percent or less?</p> <p>11 A. It's less than 100 percent, I</p> <p>12 believe.</p> <p>13 Q. Looking at the second bullet on</p> <p>14 page 3, it says "The Broker Site application is</p> <p>15 a front-end quoting system with an integrated</p> <p>16 database with Evolution." Does that simply</p> <p>17 mean that the Broker Site application and the</p> <p>18 Evolution application share a database?</p> <p>19 A. Yes.</p> <p>20 Q. And are you familiar with the Work</p> <p>21 Manager component?</p> <p>22 A. At a 10,000-foot level, I'm</p> <p>23 familiar with it, yes.</p> <p>24 Q. Tell me what you understand the</p> <p>25 Work Management component to be?</p>	<p style="text-align: right;">Page 208</p> <p>1 to a customer, and then they accept the policy,</p> <p>2 what happens then?</p> <p>3 A. It would go back through the</p> <p>4 Evolution database and into the registration</p> <p>5 systems.</p> <p>6 Q. So, it's kind of a circle?</p> <p>7 A. Yes.</p> <p>8 Q. So, Broker Site will quote,</p> <p>9 customer accepts or doesn't accept, and if the</p> <p>10 customer accepts, then the policy is routed</p> <p>11 through Evolution?</p> <p>12 A. Correct.</p> <p>13 Q. So, the same policy that touches,</p> <p>14 the same policy that is generated by Broker</p> <p>15 Site could then touch the Evolution --</p> <p>16 A. Correct.</p> <p>17 Q. -- application? Looking down at</p> <p>18 the -- looking at the table at the bottom of</p> <p>19 page 3, can you tell me what information is</p> <p>20 reflected in that table?</p> <p>21 A. The information reflected in that</p> <p>22 table are policies that would have run through</p> <p>23 the Broker Site application and are identical</p> <p>24 to the policies that run through the Evolution</p> <p>25 application above it.</p>
<p style="text-align: right;">Page 207</p> <p>1 A. It is a workflow tool used in the</p> <p>2 renewal process, personal lines policies.</p> <p>3 Q. And is the Work Manager component</p> <p>4 part of the Evolution application?</p> <p>5 A. Yes.</p> <p>6 Q. And what database does Broker Site</p> <p>7 and Evolution share?</p> <p>8 A. It's the underlying policy</p> <p>9 database.</p> <p>10 Q. And what information is stored in</p> <p>11 that underlying policy database?</p> <p>12 A. The policies that would have flown</p> <p>13 through the Broker Site and/or Evolution system</p> <p>14 or application.</p> <p>15 Q. I see three sentences in though, it</p> <p>16 says "Accordingly, there are no policies issued</p> <p>17 or gross written premium generated by the</p> <p>18 Broker Site application."</p> <p>19 A. Correct.</p> <p>20 Q. So Broker Site quotes --</p> <p>21 A. Correct.</p> <p>22 Q. -- policies. So, it doesn't issue</p> <p>23 the policies, is that the distinction?</p> <p>24 A. Correct.</p> <p>25 Q. So, if Broker Site quotes a policy</p>	<p style="text-align: right;">Page 209</p> <p>1 Q. So, for the policies that are</p> <p>2 quoted by Broker Site, we've talked about --</p> <p>3 the policies that are quoted through Broker</p> <p>4 Site, once they're accepted, do all of them</p> <p>5 then go through Evolution or just some of them?</p> <p>6 A. I don't know the answer to that.</p> <p>7 Q. And for the policy count out of the</p> <p>8 Evolution application, do any of those, are any</p> <p>9 of those policies based on products that were</p> <p>10 Legacy ACE products?</p> <p>11 A. No.</p> <p>12 Q. And how do you know that?</p> <p>13 A. Legacy ACE prior to the acquisition</p> <p>14 had minimal to no personalized products in</p> <p>15 Canada.</p> <p>16 Q. And for the Evolution chart, are</p> <p>17 renewals included in that data?</p> <p>18 A. Yes.</p> <p>19 - - - - -</p> <p>20 (Chart Bates FED17883_0001 to 0004</p> <p>21 marked Harkin Exhibit 418 for</p> <p>22 identification.)</p> <p>23 - - - - -</p> <p>24 BY MS. KLIEBENSTEIN:</p> <p>25 Q. I'm handing you what has been</p>

## HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY

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Pages 210..213

<p style="text-align: right;">Page 210</p> <p>1 marked as Exhibit 418. Have you seen this</p> <p>2 document before?</p> <p>3 A. I have.</p> <p>4 Q. What is it?</p> <p>5 A. This is a profit and loss</p> <p>6 underwriting components, gross and net written</p> <p>7 premium for all personal lines products in</p> <p>8 Canada for the second half of 2015, 2016, 2017,</p> <p>9 and 2018.</p> <p>10 Q. And is that the same as the PRS</p> <p>11 business unit in Canada?</p> <p>12 A. Correct.</p> <p>13 Q. Is this chart limited to gross</p> <p>14 written premium that touched Blaze Advisor in</p> <p>15 Canada?</p> <p>16 A. No.</p> <p>17 Q. Now, how does 418 reconcile with</p> <p>18 409, if at all?</p> <p>19 A. 409 does not have any of our</p> <p>20 personal lines of business. So, it does not</p> <p>21 reconcile at all.</p> <p>22 Q. So, how was the -- how was the data</p> <p>23 in this spreadsheet gathered?</p> <p>24 A. The data was gathered in a similar</p> <p>25 manner as 409. The first page, which is the</p>	<p style="text-align: right;">Page 212</p> <p>1 that includes both the direct component of</p> <p>2 losses and the bulk component of losses.</p> <p>3 Q. So, for the direct component, how</p> <p>4 was that -- can we tell from this spreadsheet</p> <p>5 what percentage was the direct component versus</p> <p>6 the bulk component?</p> <p>7 A. Not from this spreadsheet, no.</p> <p>8 Q. And is that true for all of the</p> <p>9 losses in LAE incurred in this spreadsheet?</p> <p>10 A. In this spreadsheet, yes.</p> <p>11 Q. Would there be data somewhere that</p> <p>12 could make that determination for us, what</p> <p>13 percentage of the losses in LAE incurred were</p> <p>14 direct versus bulk?</p> <p>15 A. That data exists.</p> <p>16 Q. Now, moving to the total expenses,</p> <p>17 what expenses are under that category?</p> <p>18 A. There's a sub-breakout below it</p> <p>19 with an arrow going down. Commissions, taxes,</p> <p>20 licenses and fees, and A&amp;G is the same,</p> <p>21 administrative and general expense.</p> <p>22 Q. So the commission incurred is a</p> <p>23 direct expense, correct?</p> <p>24 A. Correct.</p> <p>25 Q. What about supplemental commission?</p>
<p style="text-align: right;">Page 211</p> <p>1 second half of 2015, was pulled out of the</p> <p>2 Legacy Chubb ledger system in their -- in their</p> <p>3 report as part of the normal course. Beginning</p> <p>4 in 2016, they used the unique identifier to</p> <p>5 establish the personal lines, Legacy Chubb</p> <p>6 Canada business within the consolidated ledger.</p> <p>7 And they pulled information for the personal</p> <p>8 lines segment in Canada in total.</p> <p>9 Q. Moving down to the -- well, let's</p> <p>10 talk about reinsurance. How does the</p> <p>11 reinsurance component factor into this table?</p> <p>12 A. The difference between the gross</p> <p>13 written premium and the net written premium is</p> <p>14 the applicable reinsurance.</p> <p>15 Q. And net earned premium is what</p> <p>16 again?</p> <p>17 A. The net earned premium is the gross</p> <p>18 earned premium reflecting the reduction for</p> <p>19 reinsurance already.</p> <p>20 Q. Okay. And total losses in LAE</p> <p>21 incurred, how -- let's talk for the homeowners</p> <p>22 product line, 28 million, how is that</p> <p>23 calculated?</p> <p>24 A. So, that is a number that is net of</p> <p>25 reinsurance recoveries. And it is the number</p>	<p style="text-align: right;">Page 213</p> <p>1 A. That is a bulk commission.</p> <p>2 Q. And what about taxes, licenses, and</p> <p>3 fees in Canada, is that a bulk?</p> <p>4 A. That's a bulk number.</p> <p>5 Q. So let's look at the further</p> <p>6 breakout of A&amp;G.</p> <p>7 A. Uh-huh.</p> <p>8 Q. Are all of these expenses listed</p> <p>9 under that further breakout of A&amp;G bulk</p> <p>10 expenses?</p> <p>11 A. They are bulk expenses, yes.</p> <p>12 Q. So they can't be allocated to a</p> <p>13 particular gross written premium?</p> <p>14 A. Not definitively, no.</p> <p>15 Q. And so for these expenses, again,</p> <p>16 taking the homeowners, how were these expense</p> <p>17 figures calculated for the homeowners line of</p> <p>18 business?</p> <p>19 A. The expenses were a combination of</p> <p>20 the direct expenses or the bulk expenses, which</p> <p>21 were then allocated to the homeowners line.</p> <p>22 Q. Now, let's take advertising and</p> <p>23 marketing, 92,000. How -- I presume there's a</p> <p>24 larger number for advertising and marketing</p> <p>25 for -- actually, who is the writing company for</p>